

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MINNESOTA**

In re:

STRATEGIC PORK SOLUTIONS LLC

Debtor(s).

Case No. 24-31355

Chapter 11

Application to Employ Fluegel Anderson McLaughlin & Brutlag as Counsel for Debtor-in-Possession

STRATEGIC PORK SOLUTIONS LLC, debtor-in-possession in this chapter 11 case (Debtor), respectfully applies to the Court for authorization under section 327(a) of title 11 of the United States Code (Bankruptcy Code) and Federal Rule of Bankruptcy Procedure (Bankruptcy Rules) 2014(a) to employ Fluegel Anderson McLaughlin & Brutlag as Debtor's bankruptcy counsel in this chapter 11 case. In support of this application, Debtor respectfully represents to this Honorable Court as follows:

1. On May 23, 2024, Debtor filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code.
2. Debtor continues to operate its business and manage its assets as a debtor-in-possession under Bankruptcy Code sections 1107 and 1108.
3. Debtor is a Minnesota limited liability company whose principal place of business is in Wells, Minnesota.
4. Debtor proposes to retain and employ Fluegel Anderson McLaughlin & Brutlag to render the following legal services in this chapter 11 case:
 - a) Assist and advise Debtor relative to the administration of this proceeding;
 - b) Advise Debtor with respect to its powers and duties as debtor-in-possession in the continued management and operation of its business and property;
 - c) Represent the Debtor before the Bankruptcy Court and advise the Debtor on pending litigation, hearings, motions, and decisions of the Bankruptcy Court;
 - d) Review and advise the Debtor regarding applications, orders, and motions filed with the Bankruptcy Court by third parties in this proceeding;
 - e) Attend meetings conducted pursuant to section 341(a) of the Bankruptcy Code and represent Debtor at all examinations;
 - f) Communicate with creditors and other parties in interest;
 - g) Assist Debtor in preparing all motions, applications, answers, orders, reports, and papers necessary to the administration of the estate;
 - h) Confer with other professionals retained by Debtor and other parties in interest;
 - i) Negotiate and prepare Debtor's chapter 11 plan, related disclosure statement, and all related agreements and documents and take any necessary actions on Debtor's behalf to obtain confirmation of the plan; and
 - j) Perform all other necessary legal services and provide all other necessary legal advice to Debtor in connection with this chapter 11 case.

5. Fluegel Anderson McLaughlin & Brutlag has stated its willingness to act as Debtor's bankruptcy counsel in this chapter 11 case and to render the services described above.

6. Debtor believes that Fluegel Anderson McLaughlin & Brutlag is well-qualified to represent Debtor effectively, having ample experience in bankruptcy and insolvency matters. Fluegel Anderson McLaughlin & Brutlag's attorneys have considerable experience in matters of this nature and are capable of rendering the services required. As such, the employment of Fluegel Anderson McLaughlin & Brutlag is in the best interests of Debtor, the creditors, and the estate.

7. As set forth in the affidavit of David C. McLaughlin attached to this application as Exhibit A, Fluegel Anderson McLaughlin & Brutlag does not hold or represent an interest adverse to Debtor's estate with respect to the matters for which Fluegel Anderson McLaughlin & Brutlag is to be employed and is a "disinterested person," as that term is defined in section 101(14) of the Bankruptcy Code and modified by section 1107(b). Fluegel Anderson McLaughlin & Brutlag will not represent any other party in interest in connection with this case while retained by Debtor.

8. No member or associate of the Fluegel Anderson McLaughlin & Brutlag has any connection with Debtor, (other than as Debtor's attorneys), Debtor's affiliates, partners, creditors, stockholders, any other party in interest, the United States trustee, or any person employed in the office of the United States trustee.

9. Fluegel Anderson McLaughlin & Brutlag will charge fees and expenses incurred in representing Debtor in these proceedings based on rates routinely charged by the attorneys and paralegals of Fluegel Anderson McLaughlin & Brutlag in comparable matters. Currently, the hourly rates for Fluegel Anderson McLaughlin & Brutlag attorneys and paralegals \$295.00 for attorneys, and \$100.00 for paralegals. The current hourly rate for David C. McLaughlin is \$295.00. Fluegel Anderson McLaughlin & Brutlag's rates are subject to periodic review and change, usually on an annual basis. Fluegel Anderson McLaughlin & Brutlag will seek compensation for services rendered and expenses incurred upon appropriate application to the court pursuant to sections 330 and 331 of the Bankruptcy Code and Bankruptcy Rules.

WHEREFORE, Debtor respectfully requests that the Court enter an order, effective *nunc pro tunc* to the filing date of the Debtor's chapter 11 petition, authorizing Debtor to retain and employ the law firm of Fluegel Anderson McLaughlin & Brutlag as counsel to assist in the performance of Debtor's functions and otherwise with respect to this case pursuant to section 327(a) of the Bankruptcy Code and Bankruptcy Rule 2014(a), and for such other relief as the Court deems just and proper.

Date: May 29, 2024

Respectfully submitted,

Debtor

By:

David C. McLaughlin
Fluegel Anderson McLaughlin & Brutlag
129 2nd Street NW
Ortonville, MN 56278
320-839-2549
dmclaughlin@fluegellaw.com

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

IN RE:

Bankruptcy No. 24-31355

Strategic Pork Solutions LLC,

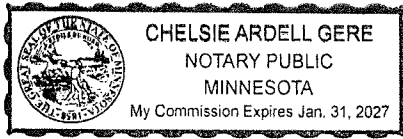
Debtor.

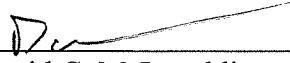
AFFIDAVIT OF PROPOSED ATTORNEY

STATE OF MINNESOTA)
)ss
COUNTY OF BIG STONE)

I, David C. McLaughlin, hereby sworn on oath, states as follows:

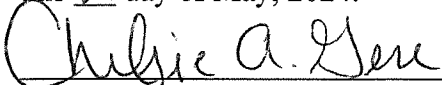
1. That the affiant is duly admitted to practice in the State of Minnesota and the United States District Court for the District of Minnesota.
2. That affiant's offices are at 129 2nd Street Northwest, Ortonville, Minnesota 56278.
3. That neither this affiant nor his law firm have an interest or connection with the Debtor, any creditors or any other party in interest herein or their respective attorneys or accountants, the U.S. Trustee or any person employed in the office of United States Trustee.
4. That neither this affiant nor his firm has any interest adverse to the Debtor or this estate in the matters which he is to be engaged.
5. That from the information and belief which this affiant has in his possession, neither this affiant nor his firm have any conflict which could disqualify said attorney or his firm from proper representation of this estate in these proceedings.
6. That the firm fees are \$295.00 per billable hour for work performed.





David C. McLaughlin

Subscribed and sworn to before me
this 29 day of May, 2024.



Notary Public
(NOTARIAL SEAL AFFIXED)

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:

BKY #24-31355

Chapter 11

Strategic Pork Solutions LLC,

Debtor.

UNSWORN DECLARATION FOR PROOF OF SERVICE

The undersigned, being an employee of Fluegel, Anderson, McLaughlin & Brutlag, Chartered declares that on the date indicated below, I served true and correct copies of the following:

- APPLICATION TO EMPLOY PROFESSIONAL
- AFFIDAVIT OF PROPOSED ATTORNEY
- PROPOSED ORDER AUTHORIZING EMPLOYMENT OF ATTORNEY

upon the entities named below by first class mail postage prepaid and by first class mail postage prepaid to a domestic or foreign corporation or upon a partnership or other unincorporated association to the attention of a managing agent, or by certified mail prepaid to an insured depository institution addressed to an officer of the institution and to any entities who are Filing Users, by automatic e-mail notification pursuant to the Electronic Case Filing System:

Internal Revenue Service
Wells Fargo Place
30 E 7th St
Mail Stop 5700
St. Paul, MN 55101

Internal Revenue Service
Centralized Insolvency Operations Unit
PO Box 7346
Philadelphia, PA 19101

AND ALL CREDITORS ON ATTACHED MATRIX.

And I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: May 30, 2024

/e/ Chelsie A. Gere

Label Matrix for local noticing

0864-3

Case 24-31355

District of Minnesota

St Paul

Wed May 29 14:00:36 CDT 2024

ACP, LLC

1750 W 23rd Street

Fremont NE 68025-6607

Strategic Pork Solutions, LLC

126 South Broadway

Wells, MN 56097-1628

Advanced Livestock

PO Box 294

Fulda MN 56131-0294

St Paul

200 Warren E. Burger Federal Building

and U.S. Courthouse

316 N Robert St

St Paul, MN 55101-1495

Agrisompo of North America

7101 82nd Street

Lubbock TX 79424-4703

Agvet Supply, PLLC

203 Commerce Drive

Webster City IA 50595-2304

Blue Cross Blue Shield

PO Box 860448

Minneapolis MN 55486-0448

Brooke S. Jacobs

6701 Westown Parkway, Suite 10

Brick Gentry, P.C.

West Des Moines IA 50266-7703

Central Farm Service

233 W. Ciro Street

Truman MN 56088-2018

Christina Hargis

126 S. Broadway

Wells MN 56097-1628

County Line Pork, LLC

1350 W Prairie Drive

Sycamore IL 60178-3166

Doug Becker

SPS Grower

150th Street

Easton MN 56025

Foley & Mansfield

250 Marquette Ave

Ste 1200

Minneapolis MN 55401-1874

Hawkins Inc

PO Box 860263

Minneapolis MN 55486-0263

Innovative Agricultural Soluti

1416 Panoramic Court

Ames IA 50010-4188

Joe Druffel

12742 590th Avenue

Wells MN 56097-4715

KH Trucking

744 12th Avenue NE

Hampton IA 50441-1120

Lager's of Mankato

307 Raintree Road

Mankato MN 56001-4817

Larry Mohrinkel

42631 750th Ave.

Saint James MN 56081-4559

Maschka, Reidy, Ries & Andrews

151 St. Andrews Court

Building 1010

Mankato MN 56001-8818

Minnesota Enery Resources

PO Box 6040

Carol Stream IL 60197-6040

Pig Express Inc.

40 52nd Way Northeast

Fridley MN 55421-1014

Pro-Cooperative

PO Box 189

Pocahontas IA 50574-0189

Security Bank Minnesota

437 Bridge Ave.

Albert Lea MN 56007-2954

Small Business Administration

409 3rd St., SW

Washington DC 20416-0002

Steven Hargis

126 S. Broadway

Wells MN 56097-1628

US Trustee

1015 US Courthouse

300 S 4th St

Minneapolis, MN 55415-3070

Verterinary Pharmaceutic

2008 North Sunrise Drive

Saint Peter MN 56082-5384

Warren Johnson

125th St.

Wells MN 56097

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

IN RE:

Bankruptcy No. 24-31355

Strategic Pork Solutions LLC,

Debtor.

ORDER AUTHORIZING EMPLOYMENT OF ATTORNEY

Upon application of the Debtor in possession herein to employ David C. McLaughlin;

The Court finding said attorney is qualified to act in such capacity, and that upon the representation of the attorney, there is no interest adverse to the Debtor in possession or to the estate;

IT IS ORDERED

1. That the Debtor in possession is authorized to employ David C. McLaughlin and his firm as its attorney in these proceedings.

2. That the attorney shall be employed under a general retainer with the compensation to the attorney to be fixed by the Court pursuant to Statute.

Dated _____

United States Bankruptcy Judge